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PATENT

Attorney Reference Number 4239-64111-05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin *et al.*

Application No. Not yet assigned

Filed: December 22, 2004

Confirmation No.

For: METHOD OF TREATING AUTOIMMUNE  
DISEASES WITH INTERFERON-BETA  
AND IL-2R ANTAGONIST

Examiner: Not yet assigned

Art Unit: Not yet assigned

Attorney Reference No. 4239-64111-05

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

## CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent  
for Applicant(s)

Date Mailed

January 25, 2005

## POWER OF ATTORNEY BY ASSIGNEE

The Assignee hereby revokes any prior powers of attorney for this matter, and appoints practitioners associated with **Customer Number 36218** to represent the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services ("the Government") in connection with this patent application.

The Government is the assignee of the entire right, title and interest of the patent application as shown in the attached assignment.


Please address all correspondence to **Customer Number 36218** at:

KLARQUIST SPARKMAN, LLP  
One World Trade Center, Suite 1600  
121 SW Salmon Street  
Portland, OR 97204-2988  
Telephone: 503-595-5300  
Fax: 503-228-9446

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for patent matters under the authority of the memorandum dated May 21, 1991, from Louis W. Sullivan, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated February 2, 2004, from Mark L. Rohrbaugh, Ph.D., J.D., Director, Office of Technology Transfer, National Institutes of Health, delegating authority to sign this Power of Attorney to the undersigned individual. The undersigned is therefore authorized to exercise such authority in this matter.

Executed on January 12, 2005, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

  
Name: Thomas Clouse  
Reg. No.: 46,629  
For: Mark Rohrbaugh, Ph.D., J.D.  
Director, Office of Technology Transfer  
National Institutes of Health  
Office of Technology Transfer  
6011 Executive Boulevard, Suite #325  
Rockville, MD 20852  
Telephone: 301-496-7056

## ASSIGNMENT

WHEREAS, we, Roland Martin, of Bethesda, Maryland, a citizen of Germany, Henry McFarland, of Bethesda, Maryland, a citizen of the United States of America, Bibiana Bielekova, of Bethesda, Maryland, a citizen of the United States of America, and Thomas Waldman, of Bethesda, Maryland, a citizen of the United States of America, employees of the Department of Health and Human Services at the time the invention was made, have invented METHOD OF TREATING AUTOIMMUNE DISEASES WITH INTERFERON-BETA AND IL-2R ANTAGONIST, for which a provisional patent application has been sent to the Commissioner for Patents and is identified as U.S. Provisional Patent Application Serial No. 60/393,021, filed on June 28, 2002.

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid provisional patent application; and

NOW, THEREFORE, to all whom it may concern, be it known for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest in the invention, patent application and patent rights throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file patent applications on the invention described in the aforesaid application, and all patents and registrations which may be granted for corresponding non-provisional patent applications on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by United States law and the Paris Convention, or of any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as an assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid provisional patent application or corresponding application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

We hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 1/7/03

[Signature]  
Roland Martin

STATE OF MARYLAND)  
) ss.  
COUNTY OF MONTGOMERY

This 7 day of JANUARY, 2003, before me personally came the above-named Roland Martin, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

[Signature]  
Notary Public for MONTGOMERY COUNTY, MD  
My commission expires: 11/1/2005

[SEAL]

Dated: 1/7/2003

[Signature]  
Henry McFarland


STATE OF MARYLAND)  
) ss.  
COUNTY OF MONTGOMERY

This 7 day of JANUARY, 2003, before me personally came the above-named Henry McFarland, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

[Signature]  
Notary Public for MONTGOMERY COUNTY, MD  
My commission expires: 11/1/2005


[SEAL]

Dated: 1/7/2003

  
Bibiana Bielekova

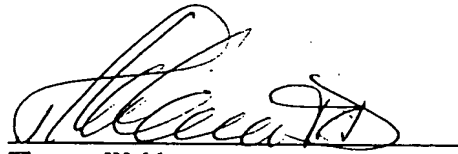
STATE OF MARYLAND  
 ) ss.  
COUNTY OF MONTGOMERY

This 7<sup>3</sup> day of, JANUARY, 2003, before me personally came the above-named Bibiana Bielekova, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

  
Notary Public for MONTGOMERY COUNTY, M  
My commission expires: 11/12/00 ~~5~~

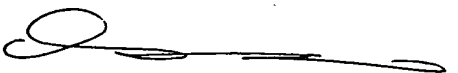
[SEAL]

Dated: 1/7/2003

  
Thomas Waldmann

STATE OF MARYLAND  
 ) ss.  
COUNTY OF MONTGOMERY

This 7<sup>3</sup> day of, JANUARY, 2003, before me personally came the above-named Thomas Waldman, who executed the foregoing Assignment in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

  
Notary Public for MONTGOMERY COUNTY, M  
My commission expires: 11/12/00 ~~5~~

[SEAL]